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		Application Number	09 / 902,986
		Filing Date	07 / 11 / 2001
		First Named Inventor	Sharif, Imran
		Art Unit	2173
		Examiner Name	Hailu, Tadesse
Total Number of Pages in This Submission	3	Attorney Docket Number	UNIQA-PPA2

ENCLOSURES *(Check all that apply)*

- ☐ Fee Transmittal Form
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	ROBERT BUCKLEY, PATENT ATTORNEY		
Signature	Robert Buckley		
Printed name	ROBERT BUCKLEY		
Date	04 / 03 / 2007	Reg. No.	33657

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Attorney's Docket No. UNIQA-PPA2 **PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	**Sharif et al.**
Serial No.:	**09/902,986**
Filed:	**07/11/2001**
For:	**"Web Browser Implemented in an Internet Appliance"**
Group No.:	**2173**
Examiner:	**Hallu, Tadesse**

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REPLY BRIEF

Misstatements by Appellants

The appellants made several misstatements in their Appeal Brief, some of which are simply foolish. But one is a material misstatement and the appellants seek leave to correct such material misstatement. The foolish misstatements relate to the breadth of claim 1 in comparison with the Istivan et al. disclosures (Appeal Brief, page 4, lines 11 – 12, 26 – 29).

The material misstatement asserts that the appellants' claim 1 method can be practiced on the Istivan et al. platform (Appeal Brief, page 4, lines 5 – 7, 8 – 11). What the appellants meant by those statements is that the hardware part of the Istivan et al. platform appears more than sufficient to execute the appellants' claim 1 method *if the hardware part were reprogrammed to support the claim 1 method.*

Claim 1 Is Not Anticipated by The Cited Prior Art Reference

The respondent seeks to define-down the Istivan et al. set-top-box—even resorting to use of appellants' name, Internet Appliance, as a synonym for the Istivan et al. set-top-box (Reply Brief, page 3, about two-thirds of the page down). But deceptive argument cannot conceal that *the simplest Istivan et al. application requires significantly more capability of its set-top-box than the appellants' claim 1 method requires of its Internet Appliance.*

A person having an ordinary level of skill in the relevant art will appreciate (1) that appellants' Internet Appliance and the Istivan et al. set-top-box include both hardware and software elements, and (2) that the greater capability of the Istivan et al. set-top-box requires that its elements be arranged differently from those of an Internet Appliance required to implement the appellants' much simpler list of tasks.

Even if the prior art reference includes all the elements that are claimed, if the arrangement of the claimed elements is different from the arrangement of the prior art elements, anticipation will not be present. *Lindemann Maschinenfabrik GmbH v. American Hoist & Derrick Co.*, 730 F.2d 1452, 221 USPQ 481,485 (Fed. Cir. 1984) (citing *Connell v. Sears, Roebuck & Co.*, 722 F.2d 1542, 220 USPQ 193 (Fed. Cir. 1983).

Respectfully submitted,

Robert Buckley

Robert Buckley
Reg. No. 33,657